

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:18-CV-059-FDW-DCK**

SHARDAYA. COHEN,
Individually and on behalf of all others
similarly situated,

Plaintiff,

v.

SILVERTON INTERNATIONAL, LLC,
d/b/a CAMEO OF CHARLOTTE,
DAMON WOOLUMS, and SIRINITY
(LNU),

Defendants.

ORDER

THIS MATTER BEFORE THE COURT on Plaintiff Shardaya Cohen’s “Motion For Leave To Conduct Early Discovery” (Document No. 19) filed August 2, 2018. This matter has been referred to the undersigned Magistrate Judge pursuant to 28U.S.C §636(b), and immediate review is appropriate. Having carefully considered the motion and the record, the undersigned will grant the motion.

By the instant motion, Plaintiff requests leave to conduct discovery because Defendants have failed to answer or otherwise defend this lawsuit. (Document No. 19, p. 3) (citing Local Rule 16.1(f)). Plaintiff notes that Defendants’ counsel has informed Plaintiff’s counsel that Defendants Silverton International, LLC (“Silverton”) and Damon Woolums (“Woolums”) do not intend to answer or respond to Plaintiff’s Complaint. Id. (citing Document No. 17-2).

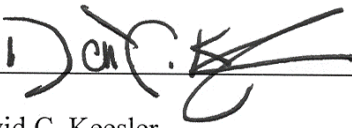
The Clerk of Court issued an “Entry Of Default” (Document No. 18) on May 10, 2018. Plaintiff asserts that it now “needs to conduct discovery and obtain evidence to prove up damages

for Plaintiff and all Others Similarly Situated, so that a default judgment can be entered against Defendants.” (Document No. 19, pp. 3-4). Defendants have failed to file a response, and the time to do so has lapsed. See Local Rule 7.1(e).

Based on Plaintiff’s arguments and Defendants’ failure to respond, the undersigned will allow Plaintiff to seek discovery to obtain evidence of damages. Plaintiff is respectfully reminded that such discovery must be relevant and proportional to the needs of the case. See Fed.R.Civ.P. 26(b)(9).

IT IS, THEREFORE, ORDERED that Plaintiff Shardaya Cohen’s “Motion For Leave To Conduct Early Discovery” (Document No. 19) is **GRANTED**.

Signed: August 23, 2018



David C. Keesler
United States Magistrate Judge

